

APPLICANT(S): FEINER, David  
SERIAL NO.: 09/982,985  
FILED: October 22, 2001  
Page 6

### **REMARKS**

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

### **Status of Claims**

Claims 2 - 4, and 6 - 10 remain pending in the application. Claims 7 - 10 have been allowed. Claims 2, 3 and 6 have been amended. Claims 1, 5 and 11 - 14 have been cancelled without prejudice or disclaimer. In making this cancellation without prejudice, Applicant reserve all rights in these claims to file divisional and/or continuation Patent Applications.

### **Allowable Subject Matter**

Applicant would like to thank the Examiner for the allowance of claims 7 - 10. In the Office Action, the Examiner stated that claims 3 and 4 are objected to as being dependent upon a rejected based claim, but would be allowable if rewritten in independent from including all the limitation of the base claim.

Claim 3 has been rewritten in independent form including all the limitations of base claim 1 and therefore claim 3 is deemed allowable. Claim 4 is dependent from claim 3 and includes all the limitations of the base claim and therefore claim 4 is likewise allowable.

APPLICANT(S): FEINER, David  
SERIAL NO.: 09/982,985  
FILED: October 22, 2001  
Page 7

## **CLAIM REJECTIONS**

### **35 U.S.C. § 102 Rejections**

Claims 1, 2, 5, 11, 12, and 13 have been rejected under 35 U.S.C. § 102(b), as being anticipated by Frederick (US 5,384,938).

Claims 1, 5, 11, 12, and 13 have been cancelled without prejudice and therefore these rejections are now moot.

As per claim 2, claim 2 has been amended to be dependent from allowable claim 3.

### **35 U.S.C. § 103 Rejections**

Claims 6 and 14 have been rejected under 35 U.S.C. § 103(a), as being unpatentable over Frederick (US 5,384,938) in view of Toyama (US 5,577,444).

An obviousness rejection requires a teaching or a suggestion by the relied upon prior art of all the elements of a claim (MPEP 2142).

Claim 14 has been cancelled without prejudice and therefore the rejection to claim 14 is now moot.

As per claim 6, claim 6 has been amended to include all the limitations of allowable claim 3 and therefore Applicant respectfully submits that claim 6 is now in condition for allowance.

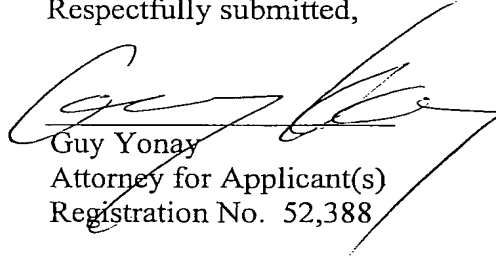
In view of the foregoing amendments and remarks, the pending claims 2 - 4 and 6 - 10 are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

APPLICANT(S): FEINER, David  
SERIAL NO.: 09/982,985  
FILED: October 22, 2001  
Page 8

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 05-0649.

Respectfully submitted,



Guy Yonay  
Attorney for Applicant(s)  
Registration No. 52,388

Dated: November 11, 2003

Eitan, Pearl, Latzer & Cohen Zedek, LLP.  
10 Rockefeller Plaza, Suite 1001  
New York, New York 10020  
Telephone: (212) 632-4800  
Fax: (212) 632-3489